IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

Crl.MC.No. 1482 of 2007()

(AGAINST THE FIR NO.33/07 OF KOIPPRAM POLICE STATION, PATHANAMTHITTA)

PETITIONER: ACCUSED:

BENNY ANTONEY, PALLIYAN HOUSE,
TABORE P.O., PARAMBAYAM, ANGHAMALI,
ERNAKULAM.

BY ADV. SRI.K.R.VINOD

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. JIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R.BASANT, J

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Crl.M.C. No.1482 Of 2007

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Dated this the 25th day of October, 2007

ORDER

I have perused the statement filed by the respondents. The short prayer of the petitioner is that the FIR may be quashed and further proceedings against him may be discontinued.

2. I find that investigation is in progress. There was a case and a counter case. Both cases were investigated by a special team. The case registered at the instance of the petitioner has already been referred. A protest complaint has already been filed by the petitioner in that crime.

3. The learned Public Prosecutor submits that the investigation into the present crime No.33/07 of Koippuram Police Station is not complete yet. Factual report has been sent to Director General of Prosecution. In the light of the certain observations made by the learned DGP, further investigation is to be conducted. The same is being done and the investigation shall be completed as expeditiously as possible and final report shall be filed, submits the learned Public Prosecutor.

4. The learned counsel for the petitioner submits that in view of the conclusions drawn by the Investigating Officer which are reflected

in the refer report filed in the other crime, there is nothing further that remains to be investigated and that conduct of the investigation does only work out prejudice, inconvenience and hardship to the petitioner.

5. Having considered all the relevant circumstances, I am satisfied that the interests of justice shall be best served by directing the Investigating Officer in this case to complete the investigation as expeditiously as possible at any rate, within a period of three months from this day. Complaince shall be reported to this Court.

6. This Crl.M.C is allowed in part with the above observations/directions.

Hand over a copy of this order to the learned Public Prosecutor.

(R.BASANT, JUDGE)

sj